



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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Washington, D.C. 20231

| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|---------------|-------------|-----------------------|------------------|
| 07/461,262    | 01/05/90    | BARBERICH             | T SPC8905        |

HAMILTON, BROOK, SMITH & REYNOLDS  
TWO MILTIA DRIVE  
LEXINGTON, MA 02173-4799

01/24/90

DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION—  
FILING DATE GRANTED

A filing date has been granted to this application. However, the following parts are missing.

If all missing parts are filed within the period set below, the total amount owed by applicant as a ~~large entity~~ ☐ small entity (verified statement filed), is \$ 120.00

1. ☐ The statutory basic filing fee is: ☐ missing; ☐ insufficient. Applicant as a ☐ large entity, ☐ small entity, must submit \$ \_\_\_\_\_ to complete the basic filing fee and MUST ALSO SUBMIT THE SURCHARGE AS INDICATED BELOW.
2. ☐ Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. NO SURCHARGE IS REQUIRED FOR THIS ITEM.
3. ☒ The oath or declaration:  
☒ is missing.  
☐ does not cover items omitted at the time of execution.  
An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Serial Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63 identifying the application by the above Serial Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
5. ☐ The signature to the oath or declaration is: ☐ missing; ☐ a reproduction; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Serial Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration: \_\_\_\_\_ Applicant(s) should provide, if possible an oath or declaration signed by the omitted inventor(s), identifying this application by the above Serial Number and Filing Date. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$26.00 under 37 CFR 1.17(k), unless this fee has already been paid NO SURCHARGE UNDER 37 CFR 1.16(e) IS REQUIRED FOR THIS ITEM.
8. ☐ A \$20.00 processing fee is required for returned checks. (37 CFR 1.21(m)).
9. ☐ Your filing receipt was mailed in error because check was returned.
10. ☐ Other:

A Serial Number and Filing Date have been assigned to this application. However, to avoid abandonment under 37 CFR 1.53(d), the missing parts and fees identified above in items 1 and 3-6 must be timely provided ALONG WITH THE PAYMENT OF A SURCHARGE OF ~~\$110.00~~ 120.00 for large entities or ~~\$60.00~~ 60.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all missing parts and pay any fees. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Direct the response to, and any questions about, this notice to the undersigned, Attention: Application Branch.

**A copy of this notice MUST be returned with response.**

For: Manager, Application Branch  
(703) 557-3254

FORM PTO-1533 (REV. 7-87)

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☐ 101 ☐ 202

A/N

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy J. Barberich and James W. Young

Serial No.: 07/461,262

Filed: January 5, 1990

For: METHOD FOR TREATING ASTHMA USING OPTICALLY PURE R( ALBUTEROL

TRANSMITTAL OF VERIFIED STATEMENT

The Honorable Commissioner  
of Patents and Trademarks  
Washington, D. C. 20231

Sir:

Please file the enclosed Verified Statement Claiming Small  
Entity Status in the above-identified patent application.

Two duplicate copies are enclosed for accounting  
purposes.

Respectfully submitted,



Paula A. Campbell  
Registration No. 32,503  
Attorney for Applicants

Lexington, MA 02173

Dated: March 6, 1990

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being

deposited with the United States Postal Service as First

Class Mail in an envelope addressed to Honorable

Commissioner of Patents and Trademarks, Washington,

D.C. 20231, on 3-6-90.

Hamilton, Brook, Smith &amp; Reynolds



Signature

3-6-90

Date



SPC89-05  
PAC/sld  
PAC19  
3/6/90



PATENT APPLICATION

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy J. Barberich and James W. Young

Serial No.: 07/461,262

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For: METHOD FOR TREATING ASTHMA USING OPTICALLY  
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Class Mail in an envelope addressed to Honorable  
Commissioner of Patents and Trademarks, Washington,  
D.C. 20231, on 3-6-90.  
Hamilton, Brook, Smith & Reynolds

Susan DeLorenzo  
Signature

3-6-90  
Date

TRANSMITTAL OF DECLARATION/POWER OF ATTORNEY

The Honorable Commissioner  
of Patents and Trademarks  
Washington, DC 20231

Sir:

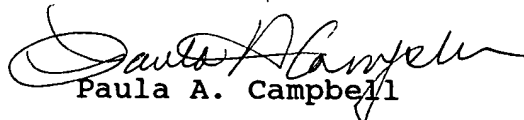
Transmitted herewith is an executed  
Declaration/Power of Attorney document for filing in the

above-referenced case. A copy of the Notice to File Missing Parts of Application, mailed from the Patent Office January 24, 1990, is enclosed. A check in the amount of \$60 is enclosed for the surcharge for filing the Declaration/Power of Attorney later than the filing date of the application.

Also enclosed is a copy of the Verified Statement Claiming Small Entity Status (37 C.F.R. 1.9(f) and 1.27(c) - Small Business Concern, which is being filed concurrently.

Please charge any additional fees due in this matter to Applicants' Attorney's Deposit Account No. 08-0380.

Respectfully submitted,



Paula A. Campbell

Registration No. 32,503

Attorney for Applicants

617-861-6240

Dated: March 6, 1990

Lexington, MA 02173